

SCHEDULE 7

Mandatory terms for LPS schemes

Dispensing

3.—(1) Subject to any provisions of an LPS scheme included pursuant to paragraph 2 and the following provisions of this Schedule, where—

- (a) any person presents to the LPS contractor (C) a non-electronic prescription form which contains—
 - (i) an order for a drug, not being a Scheduled drug, or for an appliance, not being a restricted availability appliance, signed by a prescriber,
 - (ii) an order for a drug specified in Schedule 2 to the Prescription of Drugs Regulations⁽¹⁾ (drugs, medicines and other substances that may be ordered only in certain circumstances), signed by a prescriber and including the reference “SLS”, or
 - (iii) an order for a restricted availability appliance, signed by a prescriber and including the reference “SLS”; or
- (b) C receives from the Electronic Prescription Service an electronic prescription form which contains an order of a kind specified in paragraph (a)(i) to (iii), and—
 - (i) any person requests the provision of a drug in accordance with that prescription, or
 - (ii) C has previously arranged with the patient that it will dispense that prescription on receipt,

C must, with reasonable promptness, provide the drugs so ordered, and such of the appliances so ordered as C supplies in the normal course of business.

(2) Where an LPS scheme includes the provision of repeat dispensing services, subject to any provisions of the LPS scheme included pursuant to paragraph 2 and the following provisions of this Schedule, where—

- (a) any person presents to C a non-electronic repeatable prescription which contains—
 - (i) an order for a drug, not being a Scheduled drug or a controlled drug within the meaning of the Misuse of Drugs Act 1971⁽²⁾, other than a drug which is for the time being specified in Schedule 4 or 5 to the Misuse of Drugs Regulations 2001⁽³⁾ (which relate to controlled drugs excepted from certain prohibitions under the Regulations), signed by a prescriber,
 - (ii) an order for a drug specified in Schedule 2 to the Prescription of Drugs Regulations, not being a controlled drug within the meaning of the Misuse of Drugs Act 1971, other than a drug which is for the time being specified in Schedule 4 or 5 to the Misuse of Drugs Regulations 2001, signed by a prescriber and including the reference “SLS”,
 - (iii) an order for an appliance, not being a restricted availability appliance, signed by a prescriber, or
 - (iv) an order for a restricted availability appliance, signed by a prescriber, and including the reference “SLS”,

and also presents an associated batch issue; or

(1) Schedule 2 has been amended by S.I. 2004/3215, 2009/2230, 2010/2389 and 2011/680 and 1043.

(2) 1971 c.38; see section 2(1)(a) of that Act, which defines “controlled drug” for the purposes of that Act.

(3) S.I. 2001/3998. Schedule 4 has been amended by S.I. 2003/1432, 2005/3372, 2007/2154, 2009/3136 and 2012/973, and Schedule 5 has been amended by S.I. 2005/2864.

Status: This is the original version (as it was originally made).

- (b) C receives from the Electronic Prescription Service an electronic repeatable prescription which contains an order of a kind specified in sub-paragraph (a)(i) to (iv) and—
 - (i) any person requests the provision of a drug or an appliance in accordance with that repeatable prescription, or
 - (ii) C has previously arranged with the patient that it will dispense that repeatable prescription on receipt,

C must, with reasonable promptness, provide the drugs so ordered, and such of the appliances so ordered as C supplies in the normal course of business.

(3) C must not provide under an electronic prescription form a controlled drug within the meaning of the Misuse of Drugs Act 1971, other than a drug which is for the time being specified in Schedule 4 or 5 to the Misuse of Drugs Regulations 2001.

(4) For the purposes of this paragraph, a non-electronic repeatable prescription for drugs or appliances must be taken to be presented even if the person who wishes to obtain the drug or appliance does not present that prescription, where—

- (a) C has that prescription in C's possession; and
- (b) that person presents, or C has in C's possession, an associated batch issue.